

**FILED**

**SEP 09 2009**

PATRICK E. DUFFY, CLERK

By \_\_\_\_\_  
DEPUTY CLERK, MISSOULA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

OLYMPIC COAST INVESTMENT, INC., )	CV 09-47-M-DWM-JCL
a Washington corporation, )	
)	
Plaintiff, )	
)	
vs. )	ORDER
)	
TIMOTHY J. PULLIAM, and DEAYDRE )	
L. PULLIAM, Individually and as Joint )	
Tenants with Rights of Survivorship, )	
)	
Defendants. )	
_____ )	

The Court having reviewed for clear error the Findings and  
Recommendations of United States Magistrate Judge Jeremiah C. Lynch (Doc. No.  
31), and having found no clear error therein,

IT IS HEREBY ORDERED that Olympic Coast's Motion for Summary

Judgment Against Defendant Timothy J. Pulliam (Doc. No. 9), and its Motion for Summary Judgment Against Defendant Deaydre L. Pulliam (Doc. No. 13) should be GRANTED.

IT IS FURTHER ORDERED that Olympic Coast is entitled to judgment in the amount of the entire balance due on the Promissory Note signed by the Pulliams, together with interest, taxes, insurance premiums, fees, expenses, and costs as specifically permitted under the terms of the Promissory Note and the Montana Trust Indenture signed by the Pulliams.

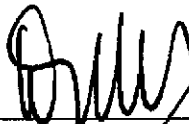
IT IS FURTHER ORDERED that Olympic Coast is entitled to judicial foreclosure of the Montana Trust Indenture signed by the Pulliams, and to initiate foreclosure proceedings as provided by law for the foreclosure of mortgages on real property.

IT IS FURTHER ORDERED that although Olympic Coast may be entitled to a deficiency judgment following the foreclosure sale of the real properties identified in the Montana Trust Indenture, the Court will reserve ruling on Olympic Coast's entitlement to a deficiency judgment until after it is determined that a deficiency exists, if any.

IT IS FURTHER ORDERED, however, that judicial foreclosure and sale shall not occur until after the Montana Department of Revenue, the Montana Department of Labor & Industry, and Collection Bureau Services, Inc. have

appeared and filed answers to Olympic Coast's Amended Complaint.

DATED this 8 day of September, 2009.

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Donald W. Molloy, District Judge  
United States District Court

